

## REMARKS

Applicants have amended the drawings and specification for clarification. No new matter has been added inasmuch as all amendments to the drawings and specification are fully supported by the content of the originally filed patent application. Appendix A provides support for the amendments to the drawings. Appendix B provides support for the amendments to the specification.

The Examiner objected to the drawings, alleging that “the limitations in claims 2, 8 and 10 must be shown”. In response, Applicants respectfully maintain that the amended drawings show all features in claims 2, 8, and 10.

The Examiner objected to the title, alleging: “The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.” In response, Applicants have changed the title to more clearly describe the claimed invention.

The Examiner objected to claim 9, alleging that “claim 9 can not depend on itself”. In response, Applicants have amended claim 9 to clarify the invention.

The Examiner rejected claims 2, 3, 8 and 10-12 under 35 U.S.C. §112, first paragraph, as allegedly “containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.”

The Examiner rejected claims 1-12 under 35 U.S.C. §112, second paragraph, as allegedly “being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.” In response, Applicants have amended the claims to clarify the invention.

The Examiner rejected claims 1-8 under 35 U.S.C. §102(b) as allegedly being anticipated by Hanagasaki U.S. Pat. 5,869,859.

The Examiner rejected claims 10-11 under 35 U.S.C. §102(e) as allegedly being anticipated by Ohyu et al. U.S. Pat. 6,291,847.

The Examiner rejected claim 9 under 35 U.S.C. §103(a) as allegedly being unpatentable over Hanagasaki U.S. Pat. 5,869,859, and further in view of Sato et al. U.S. Pat. 6,309,945.

Applicants respectfully traverse the §112, first paragraph rejections, the §102 rejections, and the §103 rejections with the following arguments.

**35 U.S.C. §112, First Paragraph**

The Examiner rejected claims 2, 3, 8 and 10-12 under 35 U.S.C. §112, first paragraph, as allegedly “containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.”

The Examiner alleged: “Claim 2, the phrase “at least one first interconnect disposed adjacent one of the top surface, the first side surface, and the second side surface of the at least one Fin structure” is not described in the specification and the figure.”

The Examiner alleged: “Claim 3, the phrase “at least one second interconnect disposed adjacent the at least one conductor structure” is not described in the specification and the figure.”

The Examiner alleged: “Claim 8, the phrase “a FinFET is disposed on the substrate, the FinFET having a gate electrode coupled to said conductor structure” is not described in the specification and the figure.”

The Examiner alleged: “Claim 10, lines 13-14, the phrase “the second conductor structure partially overlays is within a thickness of the second Fin structure” is not described in the specification and the figure.”

In response to the preceding allegations by the Examiner, Applicants have amended the drawings herein to add a new FIG. 8 which depicts the preceding subject matter alleged by the Examiner to not be depicted in the drawings. In addition, Applicants have described FIG. 8 in a new paragraph added herein by amendment. FIG. 8 and the new paragraph does not include new matter as shown in Appendix A and Appendix B.

**35 U.S.C. §102**

The Examiner rejected claims 1-8 under 35 U.S.C. §102(b) as allegedly being anticipated by Hanagasaki U.S. Pat. 5,869,859.

Applicants respectfully contend that Hanagasaki does not anticipate claim 1, because Hanagasaki does not teach each and every feature of claim 1. For example, Hanagasaki does not teach “said insulator structure comprising a single insulative material distributed from the top surface of the Fin structure to a bottom surface of the conductor structure”. In contrast, Hanagasaki teaches two insulative materials in series from the top surface of the lower electrode 5a to the bottom surface of the upper electrode 8b, the two insulative materials in series being silicon nitride in dielectric layer 6a and an oxide in the thin oxide layer 7b (see Hanagasaki, col. 4, line 54). Based on the preceding arguments, Applicants respectfully maintain that Hanagasaki does not anticipate claim 1, and that claim 1 is in condition for allowance. Since claims 2-9 depend from claim 1, Applicants contend that claims 2-9 are likewise in condition for allowance.

The Examiner rejected claims 10-11 under 35 U.S.C. §102(e) as allegedly being anticipated by Ohyu et al. U.S. Pat. 6,291,847.

Applicants respectfully contend that Ohyu et al. does not anticipate claim 10, because Ohyu et al. does not teach each and every feature of claim 10. For example, Ohyu et al. does not teach “wherein the second conductor structure partially but not totally overlays the second Fin structure and a thickness of the second conductor structure is within a thickness of the second Fin structure”. In contrast, Ohyu teaches in FIG. 4 (for the second Fin structure) that the upper electrode 22 totally overlays the lower electrode 20r, and the thickness of the upper electrode 22

is greater than the thickness of the lower electrode 20r. Based on the preceding arguments, Applicants respectfully maintain that Ohyu et al. does not anticipate claim 10, and that claim 10 is in condition for allowance. Since claim 11 depends from claim 10, Applicants contend that claim 11 is likewise in condition for allowance.

**35 U.S.C. §103**

The Examiner rejected claim 9 under 35 U.S.C. §103(a) as allegedly being unpatentable over Hanagasaki U.S. Pat. 5,869,859, and further in view of Sato et al. U.S. Pat. 6,309,945.

Since claim 9 depends from claim 1, which Applicants have argued *supra* to be patentable under 35 U.S.C. §102, Applicants maintain that claim 9 is not unpatentable under 35 U.S.C. §103(a).


Additionally, the rejection of claim 9 is moot in light of the amendment of claim 9.

### CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below.

Date: 06/17/2005

Schmeiser, Olsen & Watts  
3 Lear Jet Lane, Suite 201  
Latham, New York 12110  
(518) 220-1850

  
\_\_\_\_\_  
Jack P. Friedman  
Registration No. 44,688

### **Appendix A. Support For Amendment of Drawings**

Support for the amendment to the drawings is shown in the table below. The support in the table below is based strictly on the originally filed patent application and does not rely on the amendments herein to the specification.

Figure	Item/Support
FIG. 7b	FIG. 7b merely adds symbols denoting various thicknesses.
FIG. 8	The FinFET 250 as being on the buried insulator 204 and being coupled (by the interconnect 240) at its gate electrode 255 to the gate electrode 212 of the capacitor 215 is disclosed in claim 8 of the originally filed patent application. The interconnects 241 and 242 are disclosed in claims 2 and 3 of the originally filed patent application.



## **Appendix B. Support For Amendment of Specification**

Support for the amendment to the specification is shown in the table below.

Paragraph(s)	Item/Support
0020, 0037, 0043,	The word “length” was changed throughout the specification to “thickness”. It is apparent from the context of how “length” is described in the specification that “length” and “thickness” refer to the same linear dimension. Thus, the amended specification uses only “thickness” for consistency of language and for greater clarity for the benefit of the reader.
0054	The material added by amendment describe only what is clearly shown in FIGS. 7a-7b.
New paragraph between Paragraphs 0057 and 0058	The material added by amendment describe only what is clearly shown in FIG. 8, which has already been supported in Appendix A.



DOCKET NO. BUR920010172US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fried *et al.*

Examiner: Pham, Hoai V.

Serial No.: 10/063,331

Art Unit: 2814

Filed: 4/12/2002

For: **INTEGRATED CIRCUIT WITH CAPACITORS HAVING A FIN STRUCTURE**  
(as amended herein)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR APPROVAL OF DRAWING CORRECTIONS**

Applicants hereby request drawing corrections in connection with Figures 1-8 of the above-identified application.

Copies of Figures 1-8 are attached hereto with the proposed changes illustrated in red.

Approval of the above-noted drawing corrections is respectfully solicited.

Date:

6/17/03

Jack P. Friedman  
Registration No. 44,688

Schmeiser, Olsen & Watts  
3 Lear Jet Lane, Suite 201  
Latham, NY 12110  
(518) 220-1850

10/063,331

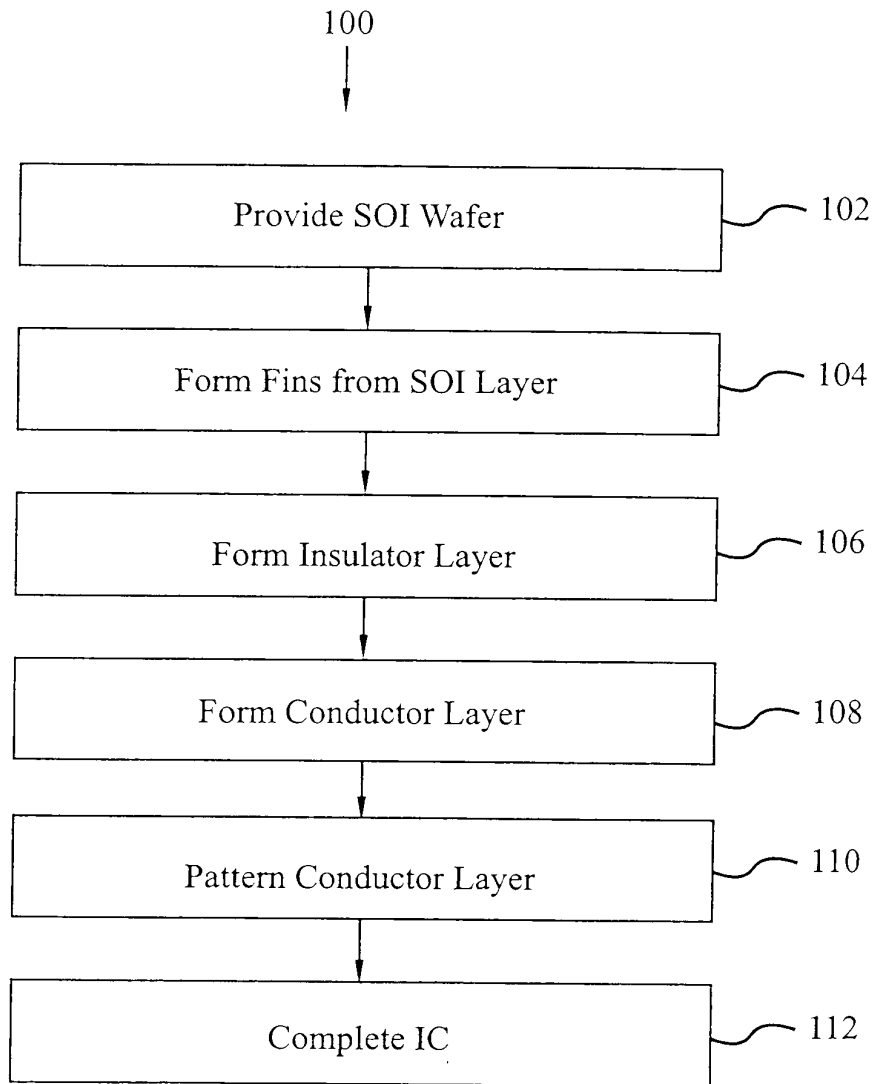
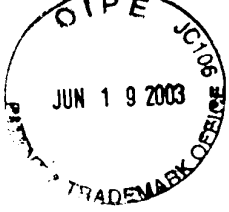


FIG. 1



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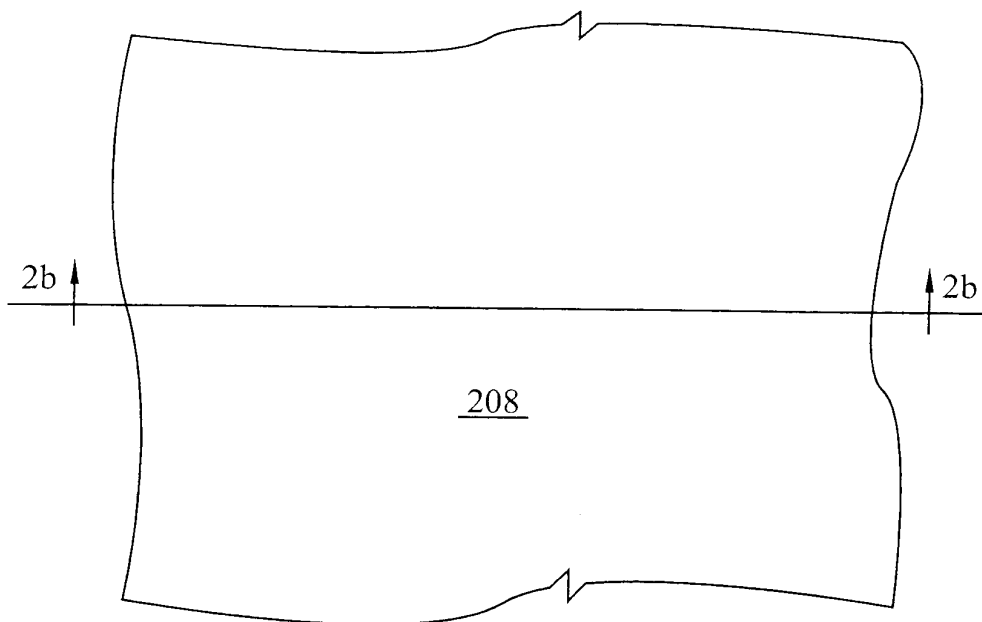


FIG. 2a

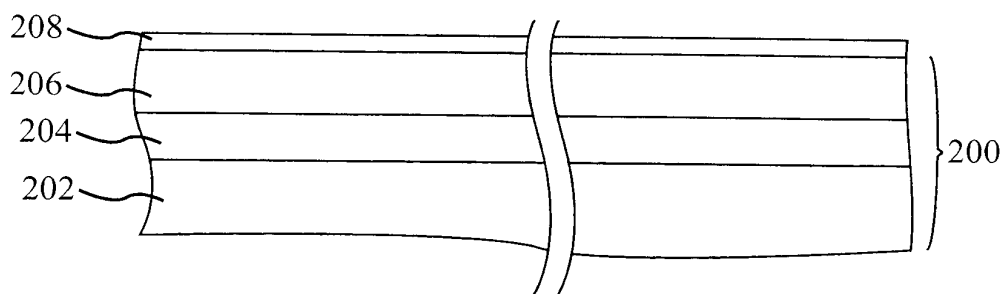


FIG. 2b

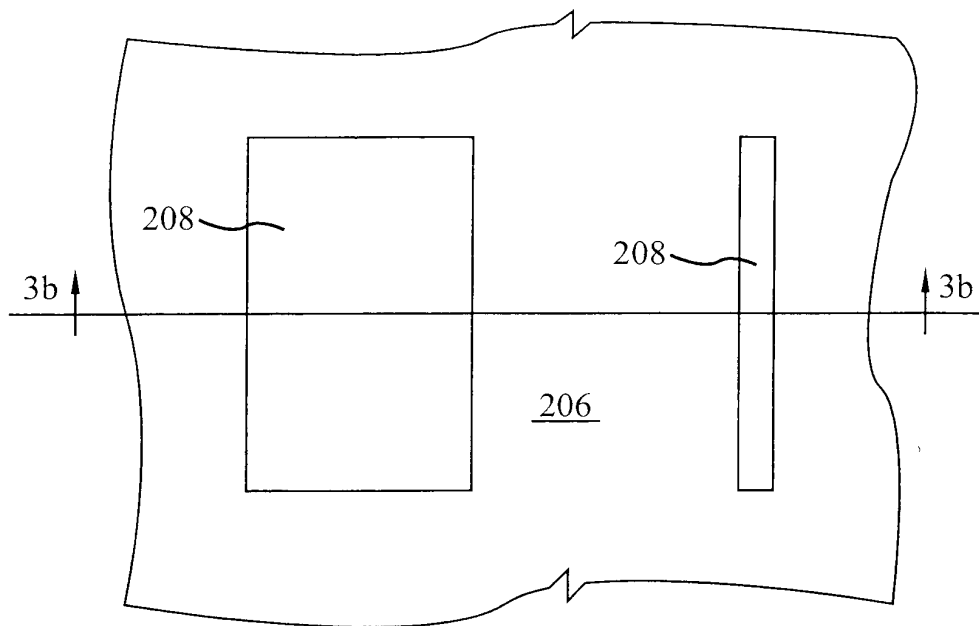


FIG. 3a

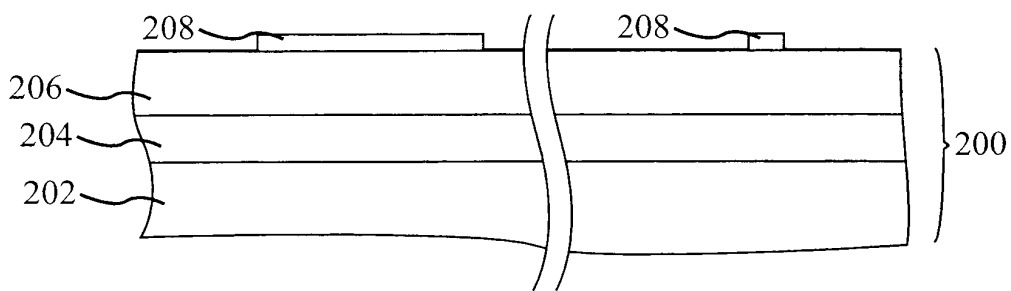


FIG. 3b

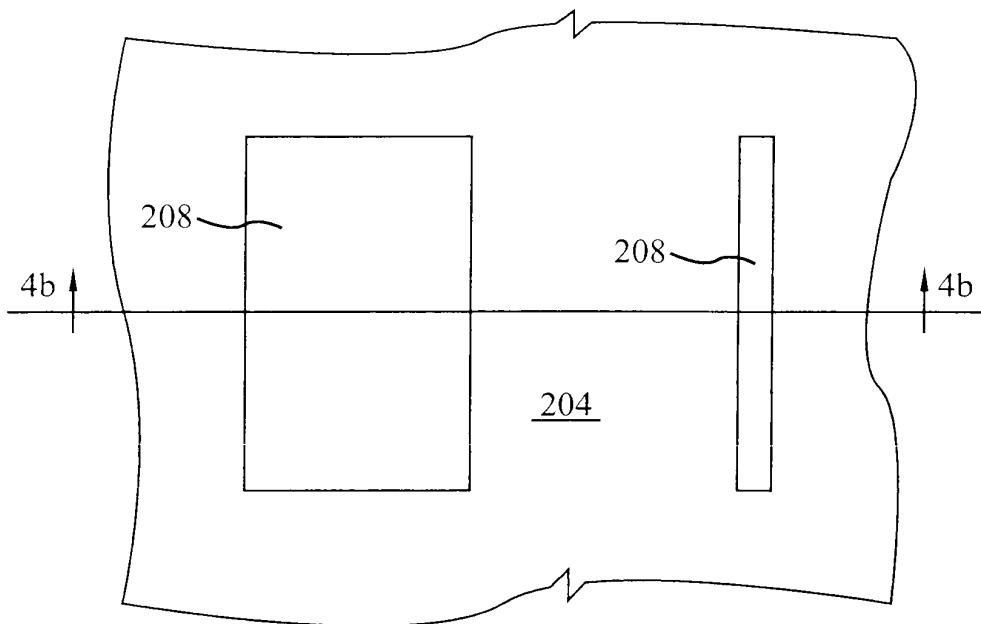


FIG. 4a

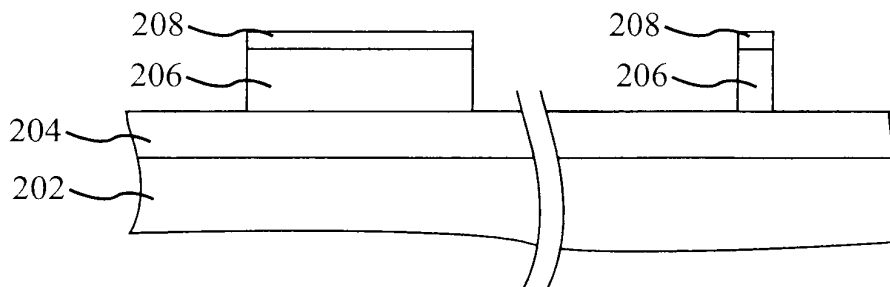


FIG. 4b



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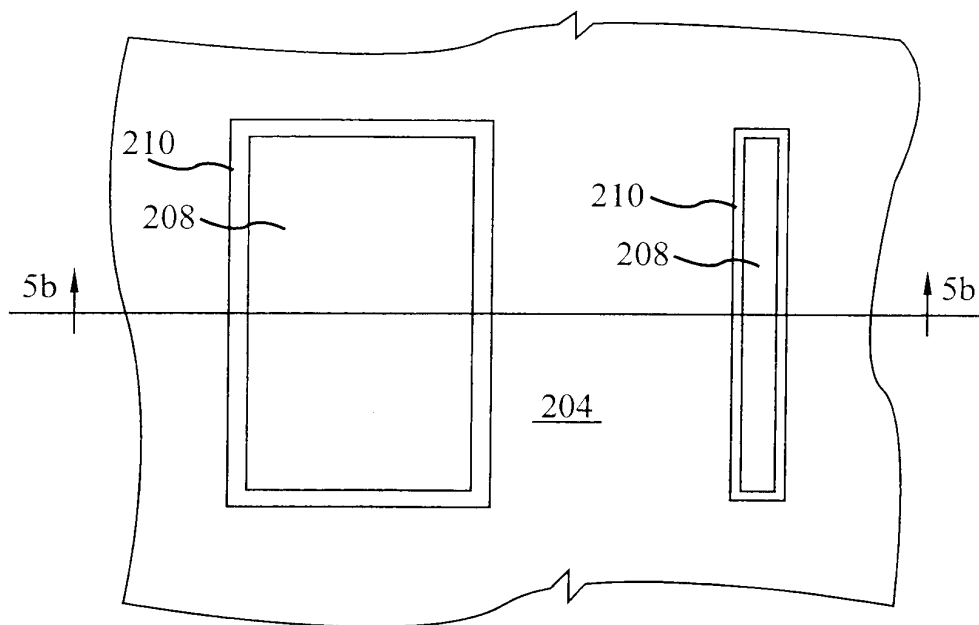


FIG. 5a

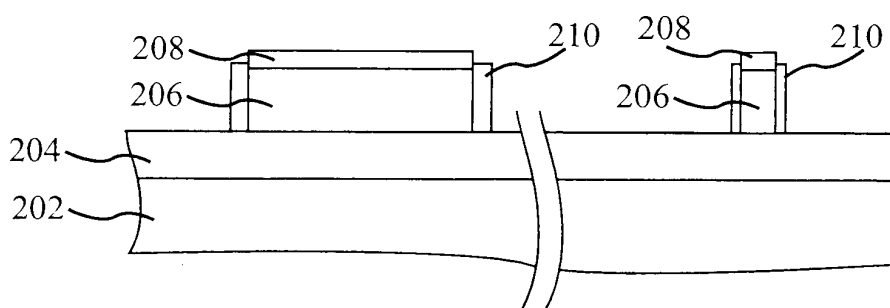


FIG. 5b

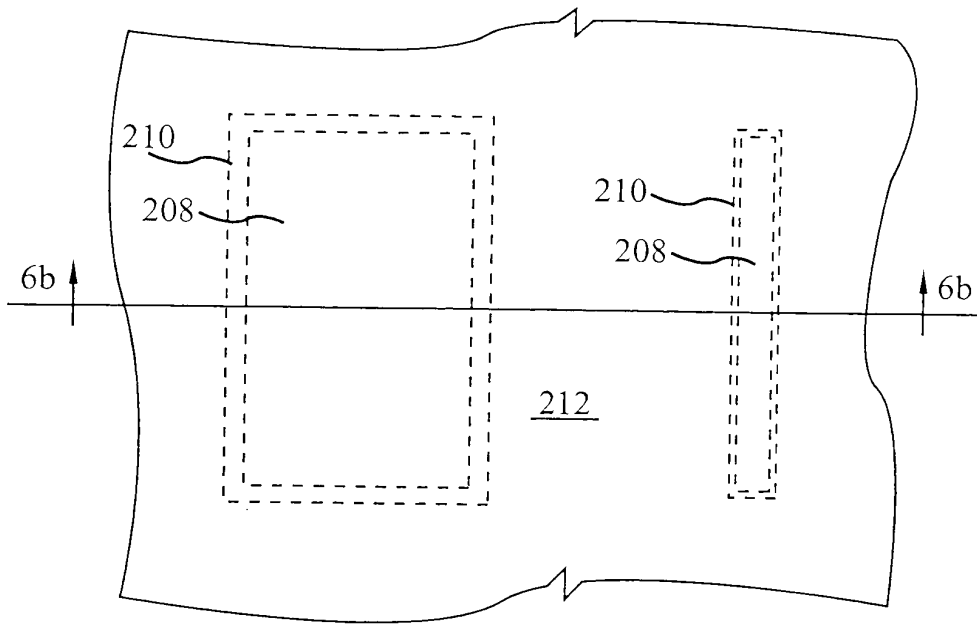


FIG. 6a

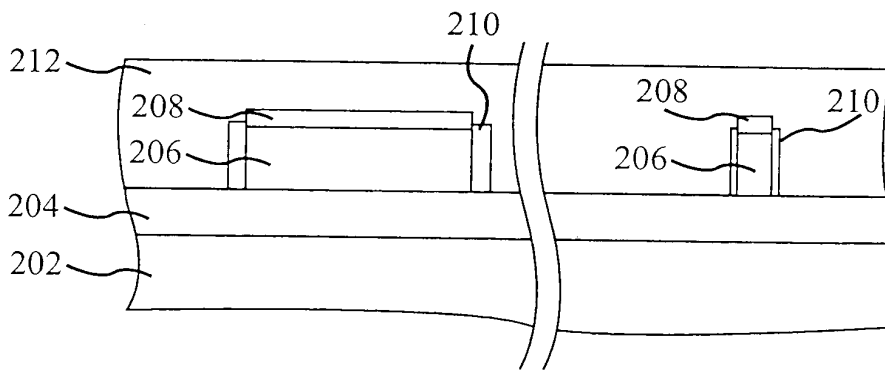


FIG. 6b



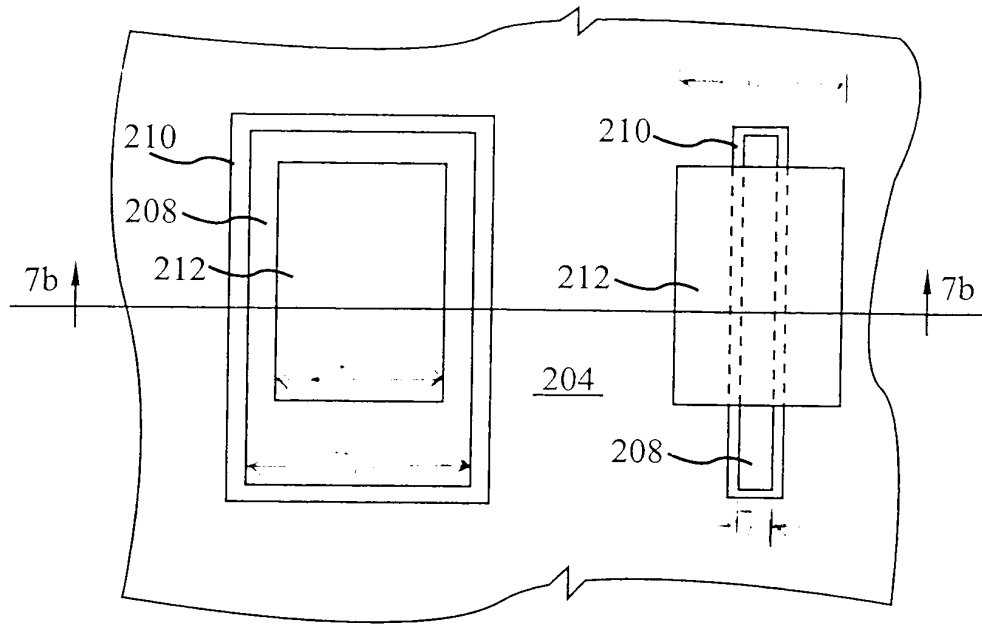


FIG. 7a

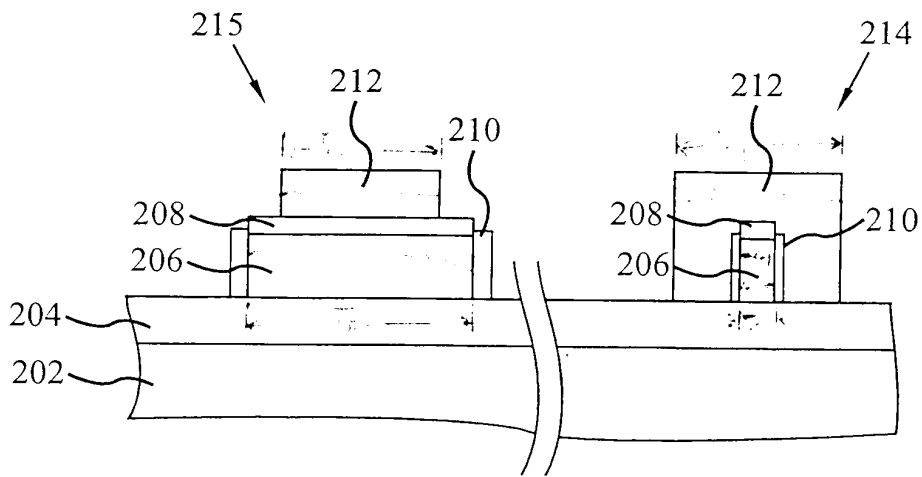


FIG. 7b



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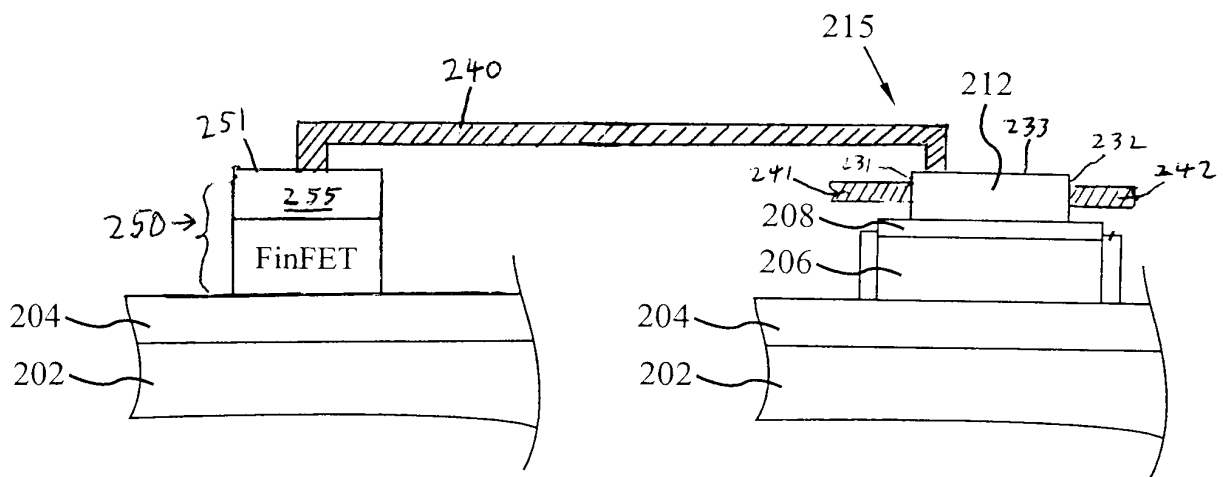


FIG. 8